

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

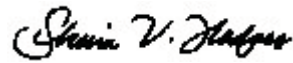
Jaquan Ferrell, Daniel Shannon, and)	C/A No.: 1:11-1098-SB-SVH
Tarsha Saxon,)	
)	
Plaintiffs,)	
)	
vs.)	ORDER
)	
Agent Director of South Carolina)	
Department of Corrections,)	
)	
Defendant.)	
)	

Plaintiffs, proceeding *pro se*, brought this action, which is construed as brought pursuant to 42 U.S.C. § 1983, alleging violations of their constitutional rights. Defendant filed a motion to dismiss on May 19, 2011. [Entry #11]. As Plaintiffs are proceeding *pro se*, the court entered an order on May 20, 2011, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising them of the importance of a motion to dismiss and of the need for him to file an adequate response. [Entry #13]. Plaintiffs were specifically advised that if they failed to respond adequately, Defendant's motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, plaintiffs Ferrell and Saxon have failed to respond to the motion. As such, it appears to the court that they do not oppose the motion and wish to abandon this action. Based on the foregoing, plaintiffs Ferrell and Saxon are directed to advise the court whether they wish to continue with this case and to respond to Defendant's motion to dismiss by October 3, 2011. Ferrell and Saxon are further advised that if they fail to

respond, their claims in this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

September 19, 2011
Florence, South Carolina

Shiva V. Hodges
United States Magistrate Judge